
AMNESTY INTERNATIONAL NEWS SERVICE 227/94

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NEWS SERVICE ITEMS: EXTERNAL - **FRANCE** (please see news schedule below), **HAITI** (This item is for response only)

FOR YOUR INFORMATION: The team in Bangkok were very pleased with the Indonesia press conference launch and felt it was extremely successful. It was attended by about 60 journalists from different companies, including both international and Thai media. CBS, Reuters TV, TV Assahi and World Service TV all had camera crews there. There was a very positive response to both the materials and Pierre Sané's speech, and the press conference ran for well over an hour because of the amount of media interest and the number of questions put to the panel.

INTERNAL

INTERNATIONAL NEWS RELEASES

** France - 0001 hrs GMT 12 October** - PLEASE NOTE EXACT EMBARGO TIME SEE NEWS SERVICE 137/94

Algeria - 25 October - PLEASE NOTE NEW DATE. SEE NEWS SERVICE 137/94

APEC - 3 November -SEE NEWS SERVICE 212/94

TARGETED AND LIMITED NEWS RELEASES

Turkey - 14 October - SEE NEWS SERVICE 181/94

Iraq - 29 November - SEE NEWS SERVICE 212/94

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EMBARGOED FOR 0001 hrs GMT 12 OCTOBER 1994

FRANCE: SHOCKING PATTERN OF HUMAN RIGHTS VIOLATIONS BY LAW ENFORCEMENT OFFICIALS
CONTINUES

Eighteen months ago the French Minister in charge of the police publicly apologized for the shooting of three unarmed youths and promised to be "merciless" with police officers who "made mistakes". Today, an Amnesty International report reveals that a shocking pattern of ill-treatment, shootings and killings by law enforcement officers in France has continued.

The report highlights 11 cases of shootings and killings by law enforcement officers in the 18 months up to June 1994, and concludes that they used force recklessly and without due respect for the law. The victims are often juveniles and many are of non-European ethnic origin.

"Time and time again, French law enforcement officers ignore their own guidelines on the use of arms, and we are seeing the consequences," said Amnesty International. "It is high time the French Government took concrete steps to rectify shortcomings in police training and practice, and the practice of prosecutors and courts."

A national outcry followed the shooting at point blank range by police of three unarmed young men in separate incidents in the space of four days in April 1993. All three youths -- Eric Simonté, Makomé M'Bowole, and Rachid Ardjouni -- died from their injuries. Two of them were minors. Makomé M'Bowole, aged 17, was shot through the head during interrogation in a police station. After apologizing to their families, Minister of the Interior, Charles Pasqua, reminded the police that they were given arms to defend citizens, not to attack them.

But as recently as June this year, another two young men -- Joel Nebor and Frédéric Adom, both aged 25 -- were repeatedly shot at and killed by an off-duty police officer during an attempted robbery in Paris. The men, who were not carrying firearms, threw a chair at the officer before assaulting the proprietor of the shop. Amnesty International is concerned that the officer apparently made no attempt first to neutralize the assailants, but simply opened fire at close range and killed them even though his life was not in danger.

In Rouen in January 1994, gendarmes shot dead an 18-year-old youth -- a passenger in a car which the police were trying to stop after a report of car theft. The youths in the car were unarmed. Investigations into both these incidents are under way.

Today's report also cites numerous instances of alleged physical ill-treatment by the French police. "Cases of police ill-treatment, some of them containing specific elements of racism are all too frequent," said Amnesty International.

At the Gare du Nord railway station in Paris in February this year, a 41-year-old gynaecologist from the Central African Republic was stopped by two railway officers. Pierre Kongo had gone to the railway station to meet a friend. He said that police officers who then arrived pushed him down stairs, handcuffed him and punched him. He suffered a fracture to his right eye-socket and was treated in

hospital. Pierre Kongo has served a summons on one of the officers and the case is due to be heard in court this month.

In July last year, a French police officer at the Menton-Ventimiglia border post sexually assaulted a 24-year-old French citizen of Tunisian origin who was returning from Italy. She had already been raped by Italian police officers before they handed her over to the French border post, where she said the police made racist remarks during the assault. The two Italian officers were detained and were given prison sentences in July this year. The investigation in France is still unfinished.

Verbal abuse, particularly of foreigners, is also widespread. Max Blechman, a 22-year-old American from New York was arrested filming a demonstration on 25 March. Numerous allegations of ill-treatment were received after this demonstration. He managed to record remarks made to him by the police: "This isn't the United States...You can't throw stones at the police with impunity..Instead of making your film you should learn French...Stupid Bastard...Generation of degenerates...Shit country...it's only good for eating hamburgers..."

Amnesty International has made detailed recommendations to the French Government in order to prevent further unlawful shootings, killings and ill-treatment. These recommendations are directed at specific Ministers responsible for the relevant areas of government, namely the Ministers of Justice, the Interior and Defence.

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AMNESTY FOR HAITIAN HUMAN RIGHTS VIOLATORS?

Under the accord reached between Haiti's military leaders and former President Jimmy Carter over the weekend of 16-17 September, Haiti's de facto military ruler, General Raoul Cédras and two others who led the coup which overthrew President Jean-Bertrand Aristide in 1991 were to step down by 15 October or after the Haitian parliament approved a general amnesty, whichever came first, in return for a blanket amnesty for human rights violations.

Since then however, there has been pressure both within Haiti and from abroad that the amnesty should only cover the political crime of involvement in the coup, and that those responsible for human rights violations should not benefit under its terms.

On 28 September, the Haitian Parliament began debating the issue. Questions have been raised as to the terms under which amnesty may be awarded and to whom. Concerns have also been expressed as to the legitimacy of the Parliament itself, and hence its credentials to discuss and come to an eventual decision on the matter.¹

AI's position is that any persons, whatever their position, who had been responsible for human rights violations must be brought to justice, as an essential safeguard to prevent human rights violations in the future. To allow those responsible for brutal crimes to escape prosecution shows a blatant disregard for the victims and their relatives, and for well-established principles of international law. It would also lay a dangerous foundation for national reconciliation and the protection of human rights in the future.

Should the Haitian parliament come to a decision regarding an amnesty, AI would be concerned that it should not allow for any of those in Haiti who carried out, ordered or sanctioned human rights violations whether in the course of the coup or in the following years to benefit from impunity, whether in Haiti or in any country to which they might flee. AI will be examining the terms of any measure agreed by the Haitian Parliament to ensure that it does not allow for such impunity, and will make any further observations or concerns it may have known, once the terms of any such measure are known.

¹These concerns arise because many members of Parliament elected in the elections which brought President Aristide to power were later forced to flee into exile abroad and some have reportedly still not returned to the country. Others have been living in hiding within Haiti, and may be afraid to attend parliamentary sessions. Furthermore, others claiming to be members of Parliament are not recognised by the international community, as they were chosen in elections organised by the military after President Aristide's overthrow.